IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

OP.No. 19236 of 2000(M)

PETITIONERS:

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1) **P.L.DEVASSY, S/O.LONAPPAN,**
P.O. CHEROOR, THRISSUR – 8,
CLEANING WORKER (SCAVENING),
TRICHUR MUNICIPALITY, TRICHUR.

2) **P.K.SELVAN, CLEANING WORKER (SCAVENGING),**
TRICHUR MUNICIPALITY, TRICHUR.

3) **K.S. GIRIJAVALLABHAN,**
CLEANING WORKER (SCAVENING),
TRICHUR MUNICIPALITY, TRICHUR.

4) **V.CHANDRARAJAN,**
CLEANING WORKER (SCAVENING),
TRICHUR MUNICIPALITY, TRICHUR.

BY ADV. SRI.P.K.ASHOKAN
SRI.RAJESH NAIR

RESPONDENTS:

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1) **MUNICIPAL CHAIR PERSON,**
TRICHUR MUNICIPALITY, TRICHUR.

2) **TRICHUR MUNICIPALITY,**
REPRESENTED BY ITS COMMISSIONER, TRICHUR.

3) **HEALTH OFFICER, THRISSUR MUNICIPALITY,**
TRICHUR.

4) **VASU M.K., CLEANING WORKER,**
TRICHUR MUNICIPALITY, TRICHUR.

(.....2)

**5) VALSALA K.R., CLEANING WORKER,
TRICHUR MUNICIPALITY, TRICHUR.**

**6) VIMALA P.V., CLEANING WORKER,
TRICHUR MUNICIPALITY, TRICHUR.**

**7) KARTHIYAYINI V.M., CLEANING WORKER,
TRICHUR MUNICIPALITY, TRICHUR.**

**BY ADV. SRI.K.B.MOHANDAS,SC,THRISSUR CORPORATIO
SRI.LELLULAL T.G.THUNDATHIL
SRI.K.A.SREEJITH**

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PETITIONERS' EXHIBITS:-

Ext.P1:- **Copy of the appointment order No.P.H2-12451/94 dated 1-9-1994 before the 1st respondent.**

Ext.P2:- **Copy of the appointment order No.P.H.2 – 12451/94 dated 6-2-1995 of the 3rd respondent.**

Ext.P3:- **Copy of the list No.P.H. 2 – 12451/94 dated 10-4-1995 signed by Municipal Chairman.**

RESPONDENTS' EXHIBITS:- **Nil.**

(true copy)

P.A. TO JUDGE.

kvs/-

T.R. Ramachandran Nair, J.

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O.P.NO.19236 of 2000-M

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Dated this the 2nd day of November, 2007

JUDGMENT

The petitioners have approached this court mainly for a declaration that the absorption to the permanent post of cleaning workers from temporary workers in Trichur Municipality should be on the basis of the seniority of the workers and according to communal rotation.

2. The Municipality has field a counter affidavit wherein it is pointed out that in the year 1994, the then Council decided to select 50 persons on temporary basis to the vacancies of permanent contingent workers. Pursuant to the requisition made to the District Employment Officer, the said officer forwarded a list of 25 persons to the Corporation. Based on the interview, 25 persons were thus absorbed. Later, by resolution No. 37 another batch consisting of 25 persons whose names are contained in Ext.P2, were selected and appointed.

3. It is submitted by the learned counsel for the corporation that all the 50 persons have been absorbed on a regular basis to the post of Sweeper and there will be no subsisting grievance as far as the

petitioners are concerned. Recording the same, this original petition is closed.

(T.R. Ramachandran Nair, Judge.)

kav/

T.R. Ramachandran Nair, J.

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O.P. No.19236 of 2000-M

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JUDGMENT

9th August, 2007.